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Don't dilute pollution law

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Smell something funny?

It might be poisonous emissions wafting from a nearby manufacturing plant. Or it might be the odor surrounding a plan being pushed in Washington that would make it harder for neighbors and local officials in hundreds of communities to know what potentially deadly pollution risks they're being exposed to.

Twenty years ago, in response to demands from public safety officials and ordinary citizens across the country, Congress passed the Emergency Planning and Community Right-to-Know Act. It came in the wake of the worst industrial accident in history, a chemical spill at a U. S.-owned insecticide plant in India that killed more than 15,000 people, and a serious chemical accident at the same company's plant in West Virginia.

The law mandated a publicly accessible annual report, known as the Toxics Release Inventory, on poisonous substances being pumped into the air, water and ground by refineries, chemical plants and others ranging from food processors to makers of kitchen countertops. By spotlighting where dangerous pollutants come from, it has helped reduce toxic chemical releases by almost 65% over the past two decades.

But now, under pressure from business, the Environmental Protection Agency (EPA) is proposing to:

- Allow polluters to release 10 times as much toxic material - 5,000 pounds instead of 500 pounds - before triggering requirements to report full details of how much was released and where it went.
- Permit the withholding of information on low-level production of persistent and potentially deadly poisons such as lead and mercury that build up in people's bodies.
- Require reports only every other year instead of every year.

The rationale is to ease the paperwork burden on business, particularly what EPA officials like to call "mom-and-pop shops" and others that together account for less than 1% of the nation's toxic emissions.

But a review of the latest inventory, including information that would no longer be available under the new rules, shows that many of these facilities are in or near residential areas - many with large low-income or minority populations. And many are in fact arms of major corporations such as Pepsi, Clorox, Raytheon and U.S. Gypsum.

Even the business community is divided as to whether this "relief" is necessary or desirable. Claims of the supposed costs to business of complying with the reporting requirements have been hotly disputed.

Emergency response officials have joined environmental activists in warning against reducing the reporting requirements. Many say that more, not less, information is needed on toxic releases. They point to incidents such as the chemical soup that washed through New Orleans in the wake of Hurricane Katrina.

Friday is the deadline for public comment on key elements in the proposed changes, after which EPA will consider whether to go ahead with this version of what it calls "burden reduction."

After two decades, any bureaucratic requirement is ripe for review. But the sniff test for overhauling the Toxics Release Inventory should be the benefits or risks to public health, not the financial gains for polluters.

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